

## **MINUTES**

### **MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** CHAIRMAN GARY L. PERRY, on January 22, 2009 at 8:00 A.M., in Room 303 Capitol.

#### **ROLL CALL**

**Members Present:**

Sen. Gary L. Perry, Chairman (R)  
Sen. Jim Shockley, Vice Chairman (R)  
Sen. Aubyn Curtiss (R)  
Sen. John Esp (R)  
Sen. Greg Hinkle (R)  
Sen. Carol C. Juneau (D)  
Sen. Cliff Larsen (D)  
Sen. Jesse Laslovich (D)  
Sen. Dan McGee (R)  
Sen. Lynda Moss (D)  
Sen. Terry Murphy (R)

**Members Excused:** Sen. Larry Jent (D)

**Members Absent:** None.

**Staff Present:** Valencia Lane, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 223, 1/14/2009

Executive Action: None

Presentation by U.S. Attorney Bill Mercer to the Joint Senate and House Judiciary Committees.

00:00:31 Bill Mercer, U. S. Attorney

[EXHIBIT\(jus15a01\)](#)

[EXHIBIT\(jus15a02\)](#)

**Questions from Committee Members and Responses:**

00:28:06 Sen. McGee  
00:28:40 Mr. Mercer  
00:30:22 Sen. McGee  
00:30:28 Mr. Mercer  
00:30:49 Rep. Peterson  
00:31:15 Mr. Mercer  
00:32:07 Rep. Peterson  
00:32:27 Mr. Mercer  
00:33:38 Rep. Warburton  
00:33:58 Mr. Mercer  
00:34:13 Rep. Warburton  
00:34:21 Mr. Mercer  
00:35:19 Rep. Menahan  
00:35:57 Mr. Mercer  
00:38:21 Rep. McDonald  
00:38:40 Mr. Mercer  
00:38:56 Sen. Juneau  
00:40:29 Mr. Mercer  
00:41:47 Sen. Juneau  
00:42:48 Mr. Mercer  
00:43:50 Sen. Larsen  
00:44:11 Mr. Mercer  
00:45:19 Sen. Shockley  
00:46:16 Mr. Mercer  
00:47:44 Rep. Stoker

00:48:34 break

**HEARING ON SB 223**

**Opening Statement by Sponsor:**

01:04:01 SEN. CAROL JUNEAU (D), SD 8, opened the hearing on SB 223, Revise hate crimes law.

[EXHIBIT\(jus15a03\)](#)

[EXHIBIT\(jus15a04\)](#)

[EXHIBIT\(jus15a05\)](#)

**Proponents' Testimony:**

01:13:09 Randall Cochran, self

**EXHIBIT(jus15a06)**

01:21:21 Rachel Carroll, Montana Human Rights Network

01:22:43 Anne Potter, self

**EXHIBIT(jus15a07)**

01:26:23 Holly Franz, Attorney

01:29:02 Linda Kryczan, Montana Human Rights Network

01:32:00 Peter Shober, University Congregational Church, United  
Church of Christ, Missoula Ministerial Association,  
Progressive Clergy Alliance

01:34:48 Rep. Franke Wilmer, HD 62, Bozeman, Montana

**EXHIBIT(jus15a08)**

01:39:51 Bernedette Kneffe, Licensed Social Worker

(Sen. Jent enters room.)

01:43:18 Nancy Staigmilller, self

**EXHIBIT(jus15a09)**

01:48:12 Jim Rogers, self, retired school teacher, Polson,  
Montana

01:50:22 Kelsen Young, Montana Coalition Against Domestic and  
Sexual Violence

01:52:01 Rev. Gina Hartung, Metropolitan Community Church, Great  
Falls, Montana

01:53:53 Kathy McGowan, for Glacier County Attorney, Larry  
Epstein

01:54:12 Kevin Crouch, Rev. United Church of Christ, PFLAG,  
Montana Safe School Coalition

01:55:02 Anita Roessmann, Disability Rights of Montana

**EXHIBIT(jus15a10)**

01:56:37 Stacey Emerson, Planned Parenthood of Montana

01:57:29 Brian Lewis, Social Justice of Montana

02:00:43 break

**Opponents' Testimony:**

02:10:22 Gene Williams, self

[EXHIBIT\(jus15a11\)](#)

02:16:09 Patti Kanduch, State Director, Concerned Women for  
America of Montana

[EXHIBIT\(jus15a12\)](#)

02:23:27 Jeanette Zentgraf, Concerned Women for America of  
Montana

[EXHIBIT\(jus15a13\)](#)

02:28:30 Richard Bennett, self

[EXHIBIT\(jus15a14\)](#)

02:32:06 Jeff Laszloffy, Montana Family Foundation

[EXHIBIT\(jus15a15\)](#)

[EXHIBIT\(jus15a16\)](#)

02:35:31 Dr. Anne Bukacek, Physician, Libby, Montana

[EXHIBIT\(jus15a17\)](#)

02:39:50 Harris Himes, Pastor, Big Sky Christian Center

02:41:59 Dallas Erickson, Montana Citizens for Decency through  
Law (MCDL)

[EXHIBIT\(jus15a18\)](#)

[EXHIBIT\(jus15a19\)](#)

[EXHIBIT\(jus15a20\)](#)

02:45:10 William Wise, retired Physician

[EXHIBIT\(jus15a21\)](#)

02:49:27 Morissa Stockton, self

02:50:20 Tammi Kanduch, self

02:51:36 Becky Stockton, self

[EXHIBIT\(jus15a22\)](#)

02:52:56 Susanna Pyron, self

02:53:33 Melinda Albers, self

**Informational Testimony:**

02:54:07 Ray Peck, Montana Association of Churches (MAC)

**Questions from Committee Members and Responses:**

02:56:39 Sen. Curtiss

02:57:19 Sen. Juneau

02:58:37 Sen. Moss

02:59:22 Sen. Juneau

03:01:20 Sen. Moss

03:01:45 Mr. Peck

03:03:03 Sen. McGee

03:04:08 Sen. Juneau

03:20:14 Sen. McGee

03:21:03 Ms. Young

**Closing by Sponsor:**

03:26:22 Sen. Juneau

03:32:33 Sen. Perry

**ADJOURNMENT**

Adjournment: 11:33 A.M.

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PAM SCHINDLER, Secretary

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Additional Documents:

**EXHIBIT ([jus15aad.pdf](#))**